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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,140	03/06/2001	Robert Olan Keith JR.	ABREAU-00106	6018

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EXAMINER

NGUYEN, CAM LINH T

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 10/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/801,140

Applicant(s)

KEITH, ROBERT OLAN

Examiner

Cam-Linh T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Response to Amendment

1. Applicant's amendments to the specification are acknowledged. Consequently, rejection to the specification is withdrawn.
2. Applicant's amendments to the double patenting are acknowledged. Consequently, rejection to the double patenting is withdrawn.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 3, 11 – 13, 21 – 23, 31 – 33, are rejected under 35 U.S.C. 102(e) as being anticipated by Snow et al (U.S. 6,098,066).

♦ As per claim 1, 11, 21, 31,

Snow teaches a method of accessing information in a searchable database comprising:

- "The searchable database is formatted in a directory tree structure" See Fig. 1, col. 2 line 62 – 67.
- "The directory tree structure includes nodes ... branches" See Fig. 1, element 12.
- "Branches comprising links between the nodes" See col. 3 line 36 – 38.

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- The database of Snow is formatted in a tree structure (col. 2, line 62 – 64), comprising nodes, and “related item of data” is corresponding to the data definition 28 in Fig. 1 (col. 3 line 3 – 11).
 - “Categorizing each item of data by a navigation path through the directory tree structure and by one or more parameters” see col. 6, line 35 – 44, Snow. The “parameters” is corresponding to the “first group of data contains descriptive terms defining the corresponding leaf category”, which are specific to the node.
 - Users access the directory by a query (See Fig. 7 element 102, Snow).
- ♦ As per claim 2 – 3, 12 – 13, 22 – 23, 32 – 33, Snow teaches:
- “Manually traversing the navigation path through the directory tree structure to access the node” See col. 6 line 36 – 44.
 - “Utilizing a selective one or more.... parametric search” See Fig. 2, element 30 of Snow, where “terms command” is corresponding to “keyword search”.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 – 10, 14 – 20, 24 – 30, 34 – 38, are rejected under 35 U.S.C. 103(a) as being unpatentable over Snow et al (U.S. 6,098,066) as applied to claims 1 – 3, 11 – 13, 21 – 23, 31 – 33 above, and further in view of Drucker et al (U.S 6,292,796).

♦ As per claim 4, 14, 24, 34,

Snow teaches a method for access information in a specific node, but does not clearly teach how the navigation path is saved as the query string.

However, Drucker, on the other hand, discloses a method for searching document by specify the navigation path, such as selecting subjects, keyword search, etc. as illustrated in Fig. 1 (col. 2 line 31 – 48, Drucker). The access mechanism includes user setup which allows user specify search preferences (col. 6 line 63 – col. 7 line 6, Drucker). Those preferences are saved for later modification (See Fig. 10 – 11, Drucker).

By saving the query or search preferences, Drucker teaches, “the navigation path is saved as query string”. It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Drucker about the saving user preferences into the system of Snow, because the system of Drucker provides a great benefits in saving time for users (col. 1 line 56 – 58, Drucker). The combination of Drucker and Snow produces a convenience search engine for users, where user does not familiar with the system and does not have a lot of time for a search query.

♦ As per claim 5, 15, 25, 35, the combination system of Snow and Drucker discloses:

The user preferences are saved in the system, so when the new data is available, the user is notified (col. 7 line 54 – 59, Drucker). The user does not need to manually traverse the navigation path to search for information.

♦ As per claim 6, 16, 26, 36, the combination system of Snow and Drucker discloses:

Snow discloses a link ID is used to link to other node (See col. 3 line 36 – 38, Snow), and the system used the Internet to connect with other database (See col. 1 line 38 – 47, Drucker). The combination of Drucker and Snow must include a link to other web site external to the electronic system.

♦ As per claim 7, 17, 27, 37, the combination system of Snow and Drucker discloses:

- "The searchable database is distributed into more than one physical location"

See Fig. 9, col. 9 line 6 – 16, Snow.

♦ As per claim 8 - 10, 18 – 20, 28 – 30, 38, the combination system of Snow and Drucker discloses:

Because the combination system includes Internet access, therefore, the notification must have server to perform this functions.

- "Establishing an Internet connection with the server" See Fig. 12, col.15 line 38 – 52, Drucker.

Response to Arguments

3. Applicant's arguments filed 09/29/2003 have been fully considered but they are not persuasive.

♦ Applicant argues that the Snow reference fails to disclose the limitation of searching the documents for specific values of predetermined parameters (page 5 of the amendment). The Examiner respectfully disagrees.

Specifically, Applicant does not claim this limitation in any of the independent claims.

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Applicant claims this limitation in claim 3 as: "...**selective one or more search...**" Therefore, the Snow reference still applies to the claimed language by selecting one method of searching such as key word searching.

♦ Applicant argues that the Snow reference fails to teach that the results of the search can be saved as a query string and that the query string can be subsequently used to re-access the directory tree structure. The Examiner respectfully disagrees.

Specifically, the Examiner does not use the Snow reference to teach the search can be saved as a query string and that the query string can be subsequently used to re-access the directory tree structure. Instead, the Examiner provides the teaching of Drucker for the search can be saved as a query string and that the query string can be subsequently used to re-access the directory tree structure, which was then applied to the system of Snow.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Linh T. Nguyen whose telephone number is 703-305- 1951. The examiner can normally be reached on Monday- Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703- 305-3900.

Cam-Linh Nguyen
Art Unit 2171

LN


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